

7 FAM 100 DISASTER AND OTHER EMERGENCY ASSISTANCE FOR U.S. CITIZENS ABROAD

7 FAM 110 REASONS FOR WELFARE/ WHEREABOUT SERVICES ABROAD

7 FAM 111 HISTORIC CONSULAR ROLE

(TL:CON-57; 9-17-93)

a. Traditionally, one of the principal functions of the U.S. consular officer has been the protection of U.S. citizens abroad. Since World War II, and especially in the past decade, the officer's responsibilities for providing protective services to the traveling American public have expanded significantly.

b. The Department of State is called upon to:

(1) Locate persons abroad who have been out of touch with concerned parties in the United States;

(2) Pass emergency messages;

(3) Assist in child custody disputes; and

(4) Serve as the focal point of disaster and emergency information.

c. The performance of these protective services with sensitivity, tact, and utmost proficiency continues to be a vital function of the Foreign Service and the Department of State. Every Foreign Service officer must be aware of the high priority the Department and the U.S. Congress place on these responsibilities.

d. The guidelines in this chapter should not be taken as defining the limits of the consular officer's responsibility, but rather as establishing a minimum frame of reference for each officer's own approach to the problems and challenges confronted in providing emergency and protective services. Officers are encouraged to submit questions when in doubt to the Bureau of Consular Affairs (CA/OCS) and to forward suggestions or proposals that may benefit other consular officers.

7 FAM 112 AUTHORITY TO PERFORM EMERGENCY AND PROTECTIVE SERVICES

(TL:CON-57; 9-17-93)

a. Protection by one country of its citizens and nationals located in another country is a recognized diplomatic and consular function. This right to protection by diplomatic and consular officers of one's country while in another country has been codified in international agreements, such as the Vienna Convention on Consular Relations of 1963 ("the Vienna Consular Convention" or "VCCR"), and in numerous bilateral consular treaties.

b. Each consular officer must be familiar with the provisions of the Vienna Consular Convention [see 7 FAM 112 Exhibit 112b] relating to the rights of consular officers to perform consular functions and of access to consular services. The VCCR entered into force for the United States on December 24, 1969.

c. Furthermore, each officer must know whether there is a bilateral consular treaty between the United States and the country to which the officer is presently accredited and the specific provisions of that treaty relating to the provision of consular services [see 7 FAM 112 Exhibit 112c , for information on the signatories to the Vienna Consular Convention and those consular agreements pertaining to citizens services in force as of July 1, 1993].

d. The basis upon which the Department and Foreign Service posts issue and disseminate travel information sheets and warnings, brochures, and public announcements is discussed in sections 7 FAM 115.1 and 7 FAM 115.2 .

7 FAM 113 DEFINITIONS

(TL:CON-57; 9-17-93)

The following terms and acronyms are used in welfare and whereabouts assistance:

a. "CA/OCS" means the Office of Overseas Citizens Services, Bureau of Consular Affairs, Department of State.

b. "CITIZEN" for the purpose of U.S. law, means a person who owes permanent allegiance to the United States, and is entitled to its protection, and all the rights and privileges accorded by the United States Constitution.

c. "CONSULAR AGENT" means a person designated to provide limited consular and other related services as authorized by the Secretary of State at specified locations abroad where no Foreign Service posts are situated.

d. "CONSULAR INFORMATION SHEETS" mean travel information flyers, published by the Department of State, one for every country in the world, containing a brief description of the country, the location of the U.S. Embassy, entry requirements, and listing areas of instability or danger [see section FAM07-0115.3].

e. "CONSULAR OFFICER" for the purposes of this FAM Chapter, means any consular or other officer of the United States who is designated, by regulations prescribed under the authority of U.S. law, to provide protective, citizenship, passport, notarial, judicial, Federal benefit, and other consular services to U.S. citizens abroad.

f. "DUAL NATIONAL" means a person who owes permanent allegiance to more than one country.

g. "INCOMPETENT" often means someone unable to act on his or her own behalf with respect to a particular matter either by operation of law (e.g., a person under a certain age may not be authorized to sign for a loan) or as a result of having been declared legally unable to act in his or her own behalf by a court that then appoints someone to act for the incompetent (e.g., a trustee). In the broader sense "incompetent" may mean someone who in fact lacks the ability to do what is required.

h. "MINOR" means a person not old enough to act on his or her own behalf or to be held legally responsible. Age 18 is used in many Federal statutes as the age at which someone is considered an adult and may be used for purposes of this Chapter. Consular officers may, in some situations, have to use their judgment as to whether to treat someone as a minor (e.g., when privacy interests of the individual are involved), keeping in mind the actual circumstances of the individual concerned and the matter at issue.

i. "MISSING" means that a person cannot be located after a search or investigation, but was known or believed to have been in, or to have intended to pass through, a specified country or region.

j. "NATIONAL" means a person who owes permanent allegiance to a state, and who is entitled to the protection of its government, but who is not a citizen.

k. "TRAVEL WARNING" means a Departmental announcement, made as part of the travel information program, recommending that Americans avoid travel to a particular country. [See section 7 FAM 115.4 .]

7 FAM 114 SERVICE TO THE PUBLIC

(TL:CON-57; 9-17-93)

a. In all contacts with U.S. citizens or nationals abroad, members of the Foreign Service must bear in mind the requirements of effective service to the public. Whether the consular officer is assisting someone in returning the body of a deceased loved one to the United States, locating a citizen or national who is missing abroad, or simply giving directions to the casual tourist, how this assistance is rendered will strongly influence that individual's perception of the Department of State and the Foreign Service.

b. All U.S. citizens and nationals are entitled to personal contact with a consular officer, resulting in prompt, courteous, and sympathetic service with as little "red tape" as possible, consistent with established procedures and regulations. A great deal of unnecessary criticism can be avoided by treating each inquiry (regardless of merit and the manner in which it is presented) as a question of great importance to the consular officer as well as to the inquirer.

c. When a consular officer is unable to be of assistance, a sympathetic "no," combined with an explanation of the reasons for that decision and possible suggestions for alternative solutions, generally evokes a more positive response than an abrupt, although efficient and correct, refusal.

d. In a situation where a Foreign Service national employee properly should handle the inquiry, a brief but tactful explanation from the consular officer with an introduction to the proper person will enhance the ability of the national employee to deal with the situation. It also allows U.S. citizens and nationals to feel that they have received proper attention by the consular officer.

e. Under no circumstances should a Foreign Service officer use the Foreign Service National staff to avoid contact with U.S. citizens or nationals; all citizens and nationals have the right to consult personally with their diplomatic representatives.

f. It is the responsibility of the American supervisor to instruct the consular staff in the proper manner of dealing with the public in general and U.S. citizens and nationals in particular. Foreign Service National employees should not be unduly deferential to U.S. citizens and nationals, but they should be aware that they are employees of the American Embassy and, accordingly, should treat Americans with respect. Workload or other duties may never be accepted as an excuse for rude or inconsiderate dealings with the host country public or Americans.

g. The Department views as serious any complaints by U.S. citizens or nationals seeking consular services or assistance of rudeness or inability to speak personally with an American officer. All such complaints will result in a request from the Department for a full investigation and explanation. Such a request should not be viewed as unwarranted criticism or censure, but as an attempt to get both sides of the story, as well as alert the post to the charge. The post must take seriously complaints received concerning Foreign Service National employees or Foreign Service officers and investigate them thoroughly.

7 FAM 115 CONSULAR INFORMATION SHEETS, TRAVEL WARNINGS, BROCHURES, AND PUBLIC ANNOUNCEMENTS

7 FAM 115.1 Scope

(TL:CON-57; 9-17-93)

All posts and bureaus are to follow the guidance set forth in this section, which focuses on the travel information program administered by the Bureau for Consular Affairs. ONLY A SEVENTH FLOOR PRINCIPAL OF THE DEPARTMENT CAN AUTHORIZE EXCEPTIONS TO THIS POLICY.

7 FAM 115.2 Purpose

(TL:CON-57; 9-17-93)

a. As part of its role in assisting Americans who travel or reside abroad, the Department of State publishes travel information designed to alert the public to a variety of situations or circumstances that may affect it. This function is largely an outgrowth of the Department's broad consular responsibilities. It is not legally mandated, but various laws and regulations are relevant to the travel information program. For example:

(1) The Department's regulations, 22 CFR 71.1, provide that:

Officers of the Foreign Service shall perform such duties in connection with the protection of American nationals abroad as may be imposed upon them by rules and regulations prescribed by the Secretary of State.

(2) The Secretary of State has statutory authority to provide for the evacuation of U.S. citizens (as well as U.S. Government employees and their dependents) "when their lives are endangered by war, civil unrest, or natural disaster," and to provide loans for the return of citizens to the United States [see 22 U.S.C. 2671(b)(2)(A), (B); 22 U.S.C. 4802(B)].

(3) The Secretary of State is authorized to invalidate U.S. passports for travel to countries with which the U.S. is "at war", where "armed hostilities are in progress," or "where there is imminent danger to the public health or the physical safety of United States travelers" (22 U.S.C. 211a).

b. The dissemination of travel information to the American public is an appropriate and in many cases extremely important activity in light of these authorities and responsibilities which recognize the role of the Secretary of State in protecting U.S. citizens abroad.

c. Several statutory provisions establish specific requirements relevant to the Department's dissemination of information to the traveling public. For example:

(1) The Aviation Security Improvement Act of 1990 (Pub. L. 101-604, Section 321(f); (49 USC app. 1358d (f)) states:

(f) Selective Notification Prohibited--In no event shall there be notification of a threat to civil aviation to only selective potential travelers unless such threat applies only to them.

(2) The International Maritime and Port Security Act mandates that the Secretary of State, upon notification by the Secretary of Transportation, issue a "travel advisory" with respect to a port that the Secretary of Transportation has determined, pursuant to statute, "does not maintain and administer effective security measures" (46 U.S.C. 1804).

(3) With respect to terrorist threats, the Diplomatic Security Act requires that the Department "promptly advise" Congress whenever it "issues a travel advisory, or other public warning notice for United States citizens traveling abroad, because of a terrorist threat or other security concern" (22 U.S.C. 2656e).

d. To the extent that these provisions relate to transportation security and terrorist threats, the Department's response may be principally coordinated by offices within the Department primarily responsible for transportation, terrorism, or other security matters (e.g., EB, INM, S/CT, DS), and may result in notices to the public outside the travel information program described in sections 7 FAM 115.3 - 7 FAM 115.9 . The travel information program incorporates transportation, terrorist, criminal and other security information as appropriate [see sections 7 FAM 115.10 and 7 FAM 115.11].

e. In administering the travel information program, the Department of State applies a "no double standard" policy to important security information, including criminal information, relevant to the safety of all Americans abroad.

(1) Such information, if shared by the Department with the official U.S. community, generally should be made available to the non-official U.S. community if the underlying threat applies to both official and non-official Americans.

(2) If a post issues information to its employees about potentially dangerous situations, it should evaluate whether the potential danger could also affect private Americans living in or traveling through the affected area.

(3) If so, the post should publish and disseminate this information. This will permit Americans planning trips to an area, as well as post personnel and private Americans resident in the country, to be fully informed of any potential danger.

f. The guidance in paragraph 7 FAM 115.2 e is not intended to prevent the limited distribution of information about threats to specific American citizens, nationals, or corporations. Important security information may be shared on a limited basis when directed toward a specific target or when appropriate to counter a particular threat.

7 FAM 115.3 Consular Information Sheets

(TL:CON-57; 9-17-93)

a. The Department of State, through the Bureau of Consular Affairs, issues Consular Information Sheets for every country in the world.

b. A Consular Information Sheet includes a brief description of the country, the location of the U.S. Embassy, entry requirements, and a listing of areas of instability, if any. It notes health hazards, areas where crimes may occur, and other pertinent facts. It also informs the public of areas where U.S. government officials are not permitted to travel and provides information on travel to a particular area that is shared with the official American community, if it is relevant to the general public.

c. Unless they include a Travel Warning [see section 7 FAM 115.4 below], Consular Information Sheets are intended to present general facts to the public, not to provide advice. It is the reader's responsibility to decide about the advisability of travel. Consular Information Sheets also refer the reader to other, more detailed, Department of State publications on travel abroad.

7 FAM 115.4 Travel Warnings

(TL:CON-57; 9-17-93)

a. A Travel Warning, which supplements a Consular Information Sheet, recommends that U.S. citizens (or nationals) avoid travel to a particular country or any portion of it. A Travel Warning usually is issued initially as a separate announcement, but it may also be

included as the first item in the relevant country's Consular Information Sheet, depending on how long the warning is in effect.

b. Issuance of a Travel Warning frequently indicates that conditions are so dangerous or unstable that Americans are likely to be adversely affected by travel to that country and that the U.S. Government's ability to assist Americans in the country is or will be severely constrained (especially in case of a post drawdown or closure).

7 FAM 115.5 Updates

(TL:CON-57; 9-17-93)

Consular Information Sheets and Travel Warnings are widely disseminated, both in the United States and abroad. They are updated approximately every six to twelve months, or when appropriate in light of events in a particular country that may significantly affect U.S. citizens and nationals visiting or residing there.

7 FAM 115.6 Initiation of Consular Information Sheets and Travel Warnings

(TL:CON-57; 9-17-93)

a. The Bureau of Consular Affairs is responsible for the issuance of Consular Information Sheets and Travel Warnings on behalf of the Department of State. The Assistant Secretary for Consular Affairs is responsible for supervising and managing the travel information program. The Deputy Assistant Secretary for Overseas Citizens Services has primary day-to-day supervisory responsibility for the program. The Department requires all posts, regional bureaus, and appropriate functional bureaus to cooperate fully in this activity.

b. Within the Bureau of Consular Affairs, the Directorate of Overseas Citizens Services (CA/OCS) is responsible for the day-to-day management and issuance of travel information. CA/OCS reviews the need for a Travel Warning when information comes to its attention indicating a situation that may warrant deferral of travel to a particular country or major parts of it.

c. Requests for issuance of a Travel Warning may originate from a post or from elsewhere within the Department of State. When a post wishes to recommend issuance of a Travel Warning, it should submit draft Travel Warning language to the Department, SLUGGED FOR CA/OCS.

d. In addition, the Bureau of Diplomatic Security (DS), International Narcotics Matters (INM), the Office of Counter-Terrorism (S/CT)), and the Bureau of Intelligence and Research (INR) inform the Director of CA/OCS of conditions warranting inclusion in an Information Sheet or that may necessitate a Travel Warning.

7 FAM 115.7 Clearance Process for Consular Information Sheets and Travel Warnings

(TL:CON-57; 9-17-93)

a. Consular Information Sheets and Travel Warnings should be closely coordinated between the Department and posts abroad. A post should submit to CA/OCS in a timely manner items that it believes should be included in the information sheets. The Department usually will consult the post regarding issuance of a warning in addition to updating the Information Sheets, but it may issue without consultation when appropriate (as in an extreme emergency).

b. In certain situations, but only with PRIOR PERMISSION from the Department, posts may inform host governments of the imminent release of a Travel Warning. Travel Warnings are never subject to negotiation with or censoring by a foreign government.

c. In the Department, CA/OCS is responsible for coordinating the preparation of all Consular Information Sheets and Travel Warnings prior to their release. The contents of an information sheet or warning usually dictate the requisite clearances. In all cases, both information sheets and warnings will be cleared by the affected regional bureau and the Bureau of Public Affairs (PA). In cases involving security and/or terrorist threats, DS, S/CT and INM will also be included in the clearance process.

d. A decision to issue a Travel Warning involves consideration of all relevant information by the interested bureaus and, in some cases, a judgment by a seventh floor principal. Each case is considered individually on its own merits in light of all the circumstances. All Travel Warnings are cleared by the office of the Under Secretary for Political Affairs (P). Disagreements among bureaus over Consular Information Sheets are generally resolved by either the Under Secretary for Political Affairs (P) or the Under Secretary for Management (M).

7 FAM 115.8 Dissemination

(TL:CON-57; 9-17-93)

a. Consular Information Sheets and Travel Warnings are widely disseminated both in the United States and abroad. They are distributed to:

(1) All domestic passport agencies and to the field by ALDAC telegram.

(2) The public through the press by the Bureau of Public Affairs.

(3) A wide range of travel agents, airline computer reservation systems, and other interested parties, including the House of Representatives Information System (H.I.S.) by electronic transfer of information.

(4) The public through the Diplomatic Security Bureau's Electronic Bulletin

Board, the Bureau of Consular Affairs' Electronic Bulletin Board, and the Bureau of Consular Affairs' telephone answering service.

b. The information on each country, whether a Consular Information Sheet only or also a Travel Warning, may be obtained at any time by dialing CA/OCS at (202) 647-5225 from a touchtone telephone or by dialing (202) 647-9225 from a computer equipped with a modem.

7 FAM 115.9 Travel Brochures

(TL:CON-57; 9-17-93)

In addition to Consular Information Sheets and Travel Warnings, the Bureau of Consular Affairs issues travel brochures with a wide range of information on travel abroad. Entitled "Tips for Travellers," these brochures are generally far more detailed than Consular Information Sheets. They are available at Passport Agencies and through the U.S. Government Printing Office, in care of the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. A small fee is charged for copies.

7 FAM 115.10 Public Announcements on Security Information

(TL:CON-57; 9-17-93)

a. From time to time the Department's Public Affairs Bureau issues public announcements on short term security situations abroad. These announcements usually originate in the Office of International Narcotics Matters (INM) and Office of Counter-Terrorism (S/CT).

b. The Department, when forewarned of terrorist events or other serious security situations, carefully evaluates the information in consultation with other agencies as appropriate. Public announcements may be made when it is determined that there is a specific and credible threat to private Americans who may be living in or traveling to the affected area. Occurrences such as planned violence by terrorists or specific terrorist targeting of private individuals have been the subject of public announcements in the past.

c. The Department's Spokesperson releases public announcements to the press.

The Department also sends them by telegram to the field and disseminates them to a wide audience of travel and other organizations by the same methods as for consular information sheets and travel warnings [see section 7 FAM 115.8].

7 FAM 115.11 FAA Information Circulars and Security Directives

(TL:CON-57; 9-17-93)

a. The Federal Aviation Administration (FAA) issues directives to U.S. air carriers, providing information which the FAA believes will be helpful to them in carrying out their aviation security responsibilities. These notices are sent to posts overseas when the information they contain affects a certain region or country. The Bureau of Economic and Business Affairs (EB) periodically issues instructions to posts on the distribution and handling of these notices, which are intended only for officials with aviation security responsibilities and are not provided to the public or to the broad post community.

b. Consular officers who receive such notices should consult EB's instructions or, if not available, EB's office of Aviation Programs and Policy (EB/TRA/AVP) for further guidance.

7 FAM 116 CONGRESSIONAL RELATIONS

(TL:CON-57; 9-17-93)

a. The Department of State daily receives hundreds of Congressional requests, many of which relate to consular matters. Whenever possible, these requests or inquiries are handled by the Department, drawing when necessary upon information provided by the various posts.

b. If an inquiry is such that a particular post should conduct an investigation, or if the latest information is requested, the Department (CA/OCS) forwards the inquiry by memorandum or telegram to the appropriate post for action. The post may be asked to reply directly to the Congressional office with a copy for the Department or to report directly to the Department so that the post's response to the inquiry may be incorporated with the Department's reply.

c. The overwhelming majority of these requests is generated by inquiries from constituents of U.S. Representatives and Senators. Constituent requests are an integral part of our representative democracy. Accordingly, requests to Members are taken by their staff to be most important and deserving of serious consideration.

d. In many instances, the congressional case worker does not know the answer to the question or may misunderstand the proper role of the consular officer. By preparing a cogent and informative reply, the drafting officer will advise not only the constituent but also the case worker handling a given case.

e. The reply that the constituent receives from the representative (often, a copy of the consular officer's letter, telegram, or memo plus a covering letter) may receive wide distribution among that person's circle of friends and relatives. A carefully drafted letter with a conciliatory tone will not only tell the recipient what the Department can and cannot do under the particular circumstances, but will convey the willingness of the Department and the Foreign Service to assist U.S. citizens abroad.

f. Senior experienced officers in each consular section are responsible for reviewing replies to Congressional inquiries to ensure that the replies are accurate, responsive, and consistent with the Department's responsibility to provide appropriate services to the American public abroad.

7 FAM 117 ENTITLEMENT TO EMERGENCY AND PROTECTIVE SERVICES

7 FAM 117.1 Establishing U.S. Citizenship or Nationality

(TL:CON-57; 9-17-93)

a. All persons seeking emergency or protective services from the U.S. Government must first reasonably establish that they are U.S. citizens or nationals or are of a limited number of other categories of persons entitled to these services.

b. Evidence to establish U.S. citizenship may consist of a U.S. passport, a U.S. card or certificate of identity, a naturalization certificate, consular registration, or the basic documentary evidence sufficient to obtain any of these documents of citizenship [see Chapters 7 FAM 1300 and 7 FAM 1400]. Before providing any services, the consular officer must be reasonably satisfied that the applicants have not lost their claim to U.S. citizenship or nationality [see Chapter 7 FAM 1200].

c. If a person is unable to provide adequate evidence of citizenship or nationality, the officer must telegraph the Department (CA/OCS) for verification. The telegram must include sufficient information to allow CA/OCS to verify the claim. This information must include as an absolute minimum the applicant's name as it would appear on legal documents, date of birth, and place of birth.

d. If a person is unable to provide satisfactory evidence of U.S. citizenship or nationality and is in dire need of service, the consular officer must use discretion and good judgment in deciding whether, and to what extent, to provide services, pending reply from the Department. In reaching this decision, the officer must evaluate what evidence of nationality exists against any discrepancies or uncertainties in the situation. In general, the Department recommends that the officer err on the side of providing services to someone with a probable claim, rather than refusing assistance and placing the applicant at a severe disadvantage.

7 FAM 117.2 Dual Nationality

(TL:CON-57; 9-17-93)

a. Occasionally confusion arising from dual nationality causes difficulty between the United States and another nation. It is generally considered that while dual nationals are in the other country of which they are citizens, that country has a predominant claim on them.

b. Like Americans who possess only U.S. nationality, dual national U.S. nationals owe allegiance to the United States and are obliged to obey its laws and regulations. It is the policy of the U.S. Government to provide all emergency and protective services to dual nationals. Such persons usually have certain obligations to the foreign country as well. Although failure to fulfill such obligations may have no adverse effect on dual nationals in the United States because the foreign country will have few means to force compliance, dual nationals may be forced to comply if they go to the foreign country.

c. In cases where dual nationals encounter difficulty in a foreign country of which they are citizens, the ability of the U.S. Foreign Service posts to provide assistance may be limited. Many foreign countries do not recognize a dual national's claim to U.S. nationality. Other countries may recognize the claim to nationality but nevertheless not permit the provision of consular services because the dual national is not a foreign national vis-a-vis the country of dual nationality. Should a consular service requested by a dual national involve the possibility of conflict with the host government, request guidance from the Department (CA/OCS).

7 FAM 117.3 Permanent Resident Aliens

(TL:CON-57; 9-17-93)

a. Permanent resident aliens generally are not entitled to emergency and protective services provided by the U.S. Government. Refer such persons to the nearest diplomatic representative of the country of which they are a national or citizen.

b. When a permanent resident alien applicant has exceptionally close and strong ties to the United States and there are overriding humanitarian and compassionate grounds, request guidance from the Department (CA/OCS/EMR) about the propriety of providing the service.

7 FAM 117.4 Persons Other Than U.S. Citizens and Nationals

(TL:CON-57; 9-17-93)

a. Pursuant to the Compacts of Free Association between the United States and the Government of the Marshall Islands, the Government of the Federated States of Micronesia, and the Government of Palau, the United States must, if asked, provide protection to the citizens of those states on the same basis as that of U.S. citizens and nationals (see also Chapter 7 FAM 1100 and Chapter 7 FAM 1300).

b. Persons with no ties or allegiance to the United States may not be provided emergency or protective services except under the most extraordinary circumstances, and then only with the prior approval of the Department.

7 FAM 118 LOCAL RESOURCES

(TL:CON-57; 9-17-93)

a. The tools of the consular function abroad include the contacts and lines of communication that the consular section nurtures and develops in the local society. Many of the various situations in which U.S. citizens traveling abroad become involved can be solved or mitigated only through favorable action by a local official or influential community leader. The more amicable the relationship between such a person and the consular officer, the better the chance for an early and favorable solution to the problem at hand.

b. Every post must identify the various positions in the local and national government that control services or functions which may affect the post's performance of emergency and protection functions.

c. Departing officers must pass along to their successors their knowledge of the local situation as well as their personal contacts in key positions. The transitory nature of Foreign Service assignments must not be permitted to hamper the effective performance of emergency and protective services.

d. Outside of government channels, consular officers should make an effort to become acquainted with prominent local figures, as well as the leaders of the foreign community. Many situations arise in which action by a consular officer might be resented, but an expression of interest or other similar action by someone not connected with the post might be more effective.

e. In many parts of the world where travel is difficult or slow, U.S. citizens or other nationals living in remote areas can prove to be invaluable in making preliminary inquiries or providing services until the consular officer is able to make more formal arrangements. Do not overlook any person or connection potentially helpful in performing consular duties.

f. It is the responsibility of the Consular Section to ensure that these contacts are included in the mission's or post's representation program and that consular officers participate in representational activities.

g. For the post's use each Consular Section must maintain a checklist of resources, including persons who may be helpful in resolving any of the various situations that involve U.S. citizens who are traveling abroad [see 7 FAM 118 Exhibit 118g]. Maintenance of such a list not only enables officers to identify resources that are useful in resolving an immediate problem but also ensures that the post maintains its contacts in the local society. Each post's checklist will vary according to local conditions and circumstances.

7 FAM 119 UNASSIGNED

7 FAM 112 Exhibit 112b

(TL:CON-57; 9-17-93)

VIENNA CONVENTION EXTRACT

EXTRACT

VIENNA CONVENTION ON CONSULAR RELATIONS

(Done on April 24, 1963; entered into force for the United States December 24, 1969)

Article 36

COMMUNICATION AND CONTACT WITH NATIONALS OF THE SENDING STATE

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending state:

(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this sub-paragraph;

(c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody, or detention in their district in pursuance of a judgment. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.

2. The rights referred to in paragraph 1 of this Article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this Article are intended.

7 FAM 112 Exhibit 112C

(TL:CON-57; 9-17-93)

THE VIENNA CONVENTION (VCCR) AND OTHER CONSULAR AGREEMENTS PERTAINING TO CITIZEN SERVICES

(in force with the United States as of July 1, 1993)

The following table of agreements was developed for the convenience of Department employees working in the area of consular services. Dates shown indicate date of signature. Posts needing to know when an agreement entered into force (which may be some years later) should consult Treaties in Force or the Office of the Assistant Legal Adviser for Treaty Affairs.

The table is not a definitive record and does not list all agreements relevant to the consular relations between the United States and another country. It focuses on agreements relevant to the provision of consular services for U.S. citizens abroad, rather than those that relate principally to the privileges and immunities of consular officers or to visa matters.

The first column indicates whether the country is a party to the multilateral Vienna Convention on Consular Relations ("VCCR"). */ Bilateral consular conventions, agreements dealing in significant part with consular matters, and agreements amending such conventions or agreements are listed in the second column ("Bilateral Consular Conventions"). Treaties covering a broader range of subjects that include consular provisions of current relevance are listed in the third column ("Other Relevant Agreements"). These are generally treaties of Friendship, Commerce, and Navigation ("FCN"); their consular provisions are often antiquated versions of provisions now in the VCCR or more recent consular conventions.

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*/ Another multilateral consular convention is the 1928 Havana Convention on Consular Agents. Unlike the VCCR, it deals only with the privileges and immunities of consular officers. Brazil, Colombia, Cuba, Dominican Republic, Ecuador, El Salvador, Mexico, Nicaragua, Panama, Peru, United States, and Uruguay are parties. ("Consular agent" has a broader meaning in this treaty than it is usually given by the United States.)

*/ Historical Note: The provision of consular services is a subject of customary international law as well as treaty. When consular relations began to be codified in international agreements, the vehicle was often a treaty of Friendship, Commerce, and Navigation ("FCN"). Later bilateral conventions dealing exclusively with consular matters became more common. In 1963, the multilateral VCCR, which to a large extent codified customary international law, was completed. Since the VCCR entered into force for the United States in 1969, we have relied increasingly on it as the principal basis for the conduct of our consular activities. Bilateral consular conventions continue to be negotiated from time to time, however.

The existence of a prisoner agreement is indicated in the fourth column ("Prisoner Transfer Agreements"). An "S" indicates that the country is a party to the multilateral 1983 Strasbourg Convention on the Transfer of Sentenced Prisoners. A "B" followed by a date indicates that there is in force between the United States and that country a bilateral agreement which was signed in the year indicated.

The following agreements relevant to specialized areas of consular work are not reflected in this list: social security totalization agreements; the Hague Convention on the Civil Aspects of International Child Abduction; and the Hague conventions relating to international judicial assistance.

Country	VCCR Party	Bilateral Consular Conventions	Other Relevant Agreements	Prisoner Transfer Agreements
Afghanistan	--	--	--	--
Albania	Yes	--	1922	--
Algeria	Yes	-- 1/		--
Andorra	--	--	--	--
Angola	Yes	--	--	--
Antigua and Barbuda	Yes	1951 2/	--	--
Argentina	Yes	--	1853	--
Armenia 3/	Yes	1964 1933	-- 1989 1/	-- --
Australia	Yes	--	--	--
Austria	Yes	--	1928	Yes (S)
Azerbaijan 3/	Yes	1964 1933	1989 1/	--
Bahamas	Yes	1951 2/	--	Yes (S)
Bahrain	Yes	--	--	--
Bangladesh	Yes	--	--	--
Barbados	Yes	1951 2/	--	--
Belarus 3/	Yes	1964 1933	1989 4/	--
Belgium	Yes	1969	1963	Yes (S)
Belize	--	1951 2/	--	--
Benin	Yes	--	--	--
Bhutan	Yes	--	--	--
Bolivia	Yes	--	1858	Yes (B 1978)
Bosnia 5/	--	--	1881	--
Botswana	--	--	--	--
Brazil	Yes	--	1828	--
Brunei 6/	Yes	1951 2/	--	--
Bulgaria	Yes	1974	--	--
Burkina Faso	Yes	--	--	--
Burma	--	--	--	--
Burundi	--	--	--	--
Cambodia	--	--	--	--
Cameroon	Yes	--	--	--
Canada	Yes	1935	--	Yes (S; B 1977)
Cape Verde	Yes	--	--	--
Chad	--	--	--	--
Chile	Yes	--	1833	--
China	Yes	1979 1980 1981	--	--

Colombia	Yes	1850	1846	--
Comoros	--	--	--	--
Congo	--	--	--	--
Cook Islands	--	--	--	--
Costa Rica	Yes	1948	1851	--
Cote D'Ivoire	--	--	--	--
Croatia 5/	Yes	--	1881	--
Cuba	Yes	1926	--	--
Cyprus	Yes	1951 2/	--	Yes (S)
Czech Rep. 7/	Yes	1973	--	Yes (S)
Denmark	Yes	--	1951 8/	Yes (S)
Djibouti	Yes	--	--	--
Dominica	Yes	1951 2/	--	--
Dominican Rep.	Yes	--	--	--
Ecuador	Yes	--	1839	--
Egypt	Yes	--	--	--
El Salvador	Yes	--	--	--
Equatorial Guinea	Yes	--	--	--
Estonia	Yes	--	1925	--
Ethiopia	--	--	1951	--
Fiji	Yes	1951 2/ 1972	--	--
Finland	Yes	-- 1953	1934 --	Yes (S)
France	Yes	1968	--	Yes (S; B 1983)
Gabon	Yes	--	--	--
Gambia	--	1951 2/	--	--
Georgia 3/	Yes	1964 1933	1989 4/	--
Germany	Yes	-- 1953	1923 --	--
Ghana	Yes	1951 2/	--	--
Greece	Yes	1902	--	Yes (S)
Grenada	Yes	1951 2/	--	--
Guatemala	Yes	--	1849	--
Guinea	Yes	--	--	--
Guinea-Bissau	--	--	--	--
Guyana	Yes	1951 2/	--	--
Haiti	Yes	--	--	--
Holy See	Yes	--	--	--
Honduras	Yes	--	1927	--
Hungary	Yes	1972	--	Yes (S)
Iceland	Yes	--	--	--
India	Yes	--	--	--
Indonesia	Yes	--	--	--
Iran	Yes	--	1955	--
Iraq	Yes	--	--	--
Ireland	Yes	1950 1952	--	--
Israel	--	--	1951	--
Italy	Yes	1878	--	Yes (S)
Jamaica	Yes	1951 2/	--	--

Japan	Yes	1963	1953	--
Jordan	Yes	--	--	--
Kazakhstan 3/	Yes	1964 1933	1989 4/	--
Kenya	Yes	--	--	--
Kiribati	Yes	1951 2/	--	--
Korea, Dem. People's Rep.	Yes	--	--	--
Korea, Rep.	Yes	1963	--	--
Kuwait	Yes	1951 2/	--	--
Kyrgyzstan 3/	Yes	1964 1933	1989 4/	--
Laos	Yes	--	--	--
Latvia	Yes	--	1928	--
Lebanon	Yes	--	1924 9/ 1944	--
Lesotho	Yes	--	--	--
Liberia	Yes	1938	--	--
Libya	--	--	--	--
Liechtenstein	Yes	--	--	--
Lithuania	Yes	--	--	--
Luxembourg	Yes	--	1962	Yes (S)
Macedonia 5/	Yes	--	1881	--
Madagascar	Yes	--	1896 10/	--
Malawi	Yes	--	--	--
Malaysia	Yes	1951 2/	--	--
Maldives	Yes	--	--	--
Mali	Yes	--	--	--
Malta	--	1951 2/	--	Yes (S)
Marshall Islands 11/	Yes	--	1986 12/	--
Mauritania	--	--	--	--
Mauritius	Yes	1951 2/	--	--
Mexico	Yes	1942	--	Yes (B 1976)
Micronesia 11/	Yes	--	1986 12/	--
Moldova 3/	Yes	1964 1933	1989 4/	--
Monaco	--	--	--	--
Mongolia	Yes	1987 13/	--	--
Morocco	Yes	--	1836	--
Mozambique	Yes	--	--	--
Namibia	Yes	--	--	--
Nauru	--	--	--	--
Nepal	Yes	--	1947	--
Netherlands	Yes	--	1957 14/	Yes (S)
New Zealand	Yes	--	--	--
Nicaragua	Yes	--	--	--
Niger	Yes	--	--	--
Nigeria	Yes	1951 2/	--	--
Norway	Yes	--	1928	Yes (S)
Oman	Yes	--	1958	--

Pakistan	Yes	--	1959	--
Panama	Yes	--	1913	Yes (B 1979)
Papua New Guinea	Yes	--	--	--
Paraguay	Yes	--	1859	--
Peru	Yes	--	--	Yes (B 1979)
Philippines	Yes	1947	--	--
Poland	Yes	1972	--	--
Portugal	Yes	--	--	Yes (S)
Qatar		--	--	--
Romania	Yes	1972	--	--
Russia 3/	Yes	1964 1933	1989 4/	--
Rwanda	Yes	--	--	--
Saint Christopher (St.Kitts) and Nevis	Yes	1951 2/	--	--
Saint Lucia	Yes	1951 2/	--	--
Saint Vincent and The Grenadines	Yes	1951 2/	--	--
San Marino	--	--	--	--
Sao Tome and Principe	Yes	--	--	--
Saudi Arabia	Yes	--	1933	--
Senegal	Yes	--	--	--
Serbia and Montenegro 5/	Yes	--	1881	--
Seychelles	Yes	1951 2/	--	--
Sierra Leone	--	1951 2/	--	--
Singapore	--	1951 2/	--	--
Slovakia 7/	Yes	1973	--	Yes (S)
Slovenia 5/	Yes	--	1881	Yes (S)
Solomon Islands	Yes	--	--	--
Somalia	Yes	--	--	--
South Africa	Yes	--	--	--
Spain	Yes	--	1902	Yes (S)
Sri Lanka	--	--	--	--
Sudan	--	--	--	--
Suriname	Yes	1855	1963 15/	--
Swaziland	--	--	--	--
Sweden	Yes	1910	--	Yes (S)
Switzerland	Yes	1855	--	Yes (S)
Syria	Yes	-- 1944	1924 9/	--
Taiwan	--	--	1946 17/	--
Tajikistan 3/	Yes	1964 1933	1989 4/	--
Tanzania	Yes	1951 2/	--	--
Thailand	--	--	1966	Yes (B 1982)
Togo	Yes	--	1966	--
Tonga	Yes	1951 2/	--	--
Trinidad & Tobago	Yes	1951 2/	--	Yes (S)

Tunisia	Yes	-- 16/	1904	--
Turkey	Yes	--	1927	Yes (S; B 1979)
Turkmenistan 3/	Yes	1964 1933	1989 4/	--
Tuvalu	Yes	1951 2/	--	--
Uganda	--	--	--	--
Ukraine 3/	Yes	1964 1933	1989 4/	--
United Arab Emirates	Yes	--	--	--
United Kingdom	Yes	1951	--	Yes (S)
Uruguay	Yes	--	--	--
Uzbekistan 3/	Yes	1964 1933	1989 4/	--
Vanuatu	Yes	--	--	--
Venezuela		--	1836	--
Vietnam	Yes 18/	--	1961 19/	--
Western Samoa	Yes	--	--	--
Yemen	Yes	--	1946	--
Zaire	Yes	--	--	--
Zambia	--	1951 2/	--	--
Zimbabwe	--	1951 2/	--	--

FOOTNOTES

1/ A bilateral consular convention with Algeria was ratified by the U.S. Senate in August 1992, but instruments of ratification had not been exchanged and the convention had not entered into force as of July 1, 1993.

2/ Consular convention between the United States and United Kingdom.

3/ The United States considers that consular relations with each of the successor states of the former Soviet Union are governed by agreements in force on this subject at the time of the dissolution of the former Soviet Union, most notably the 1964 bilateral consular convention and related protocol and the Vienna Consular Convention.

4/ Agreement concerning passports and the mutual visits by inhabitants of the Bering Straits Region. Signed at Jackson Hole, Wyoming on September 13, 1989; entered into force on July 10, 1991. Applicable only as relevant.

5/ The United States considers that consular relations with Bosnia, Croatia, Slovenia, Macedonia, Serbia, and Montenegro are governed by agreements in force on this subject at the time of the dissolution of the former Yugoslavia, most notably the Vienna Convention on Consular Relations. A bilateral consular convention signed with the former Yugoslavia in 1988 has not entered into force.

6/ The United States is currently encouraging Brunei to accede formally to the Vienna Convention on Consular Relations. Brunei has stated in the past that it deems accession unnecessary on the grounds that it has adopted many of the Convention's provisions into its domestic law. The United States is also pressing Brunei for formal confirmation that the 1951 U.S.-U.K. bilateral consular convention remains in force between the United States and Brunei.

7/ The United States considers that consular relations with the Czech Republic and Slovakia are governed by the agreements on this subject in force at the time of the dissolution of the former Czechoslovakia, most notably the Vienna Convention on Consular Relations and the bilateral consular convention.

8/ Applicable to all Danish territories except Greenland and to all territories over which the United States has jurisdiction or international responsibility except the Trust Territory of the Pacific Islands.

9/ Convention between the United States and France relating to rights in Syria and Lebanon.

10/ Convention on navigation and commerce between the United States and France, signed at Washington on June 24, 1822, and extended to Madagascar in 1896.

11/ Formerly a member of the Trust Territory of the Pacific Islands, now a sovereign State.

12/ Agreement for the implementation of the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and of the Federated States of Micronesia.

13/ A bilateral consular convention between the United States and the Mongolian People's Republic was approved by the U.S. Senate in August, 1992, but instruments of ratification had not been exchanged and the convention had not entered into force as of July 1, 1993.

14/ Also applicable to Aruba and the Netherlands Antilles.

15/ Treaty of friendship, commerce and navigation, with protocol and exchange of notes, between the United States and The Netherlands, signed at The Hague, March 27, 1956; applicable to Suriname as of February 10, 1963.

16/ A bilateral consular convention between the United States and Tunisia was approved by the U.S. Senate in May, 1992, but instruments of ratification had not been exchanged and the convention had not entered into force as of July 1, 1993.

17/ Treaty of friendship, commerce, and navigation with accompanying protocol. Signed at Nanking, November 4, 1946; entered into force on November 30, 1948.

18/ The previous government of Vietnam was signatory to the Convention. The present Government of the Socialist Republic of Vietnam has given no indication regarding its position with respect to a possible succession. See Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 1985, U.N. Doc. ST/LEG/SER.E/4.

19/ Treaty of amity and economic relations, which entered into force on November 30, 1961, was in force between the United States and the Republic of Viet-Nam (South Viet-Nam) until 1967. The status of this agreement remains under review by the United States.

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LOCAL RESOURCES CHECKLIST

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EXHIBIT 118g LOCAL RESOURCES CHECKLIST

LOCAL RESOURCES CHECKLIST				Name of Post/Officer				
				Subject of Search				
Date List Revised				Subject's Local Address				
MARK BOXES	Contact Made		NAME/ADDRESS OF LOCAL RESOURCE (Agency/Business)	Office Hours	PERSONS/OFFICES TO CONTACT DURING SEARCH			
	YES	NO			During Normal Workhours		Afterhours, Weekends, Holidays	
					Name	Business Phone	Name	Bus./Home Phone
A. AIR- LINES SERVIC- ING HOST COUN- TRY			1.					
			2.					
			3.					
			4.					
			5.					
B · H O S T G O V E R N M E N T A S S I S T A N C E	1. P O L I C E		1.					
			2.					
			3.					
			4.					
			5.					
	2. I M M I G R A T I O N		1.					
			2.					
			3.					
			4.					
			5.					

Local Resources Checklist—Continued

MARK BOXES		Contact Made		NAME/ADDRESS OF LOCAL RESOURCE (Agency/Business)	Office Hours	PERSONS/OFFICES TO CONTACT DURING SEARCH			
		YES	NO			During Normal Workhours		Afterhours, Weekends, Holidays	
						Name	Business Phone	Name	Bus./Home Phone
B	3. MIN- ISTRY OF TOURISM			1.					
				2.					
				3.					
				4.					
				5.					
	4. CUSTOMS BUREAU			1.					
				2.					
				3.					
				4.					
				5.					
C. HOSPITALS AND OTHER EMER- GENCY MEDI- CAL SER- VICES			1.						
			2.						
			3.						
			4.						
			5.						
			6.						
			7.						

Local Resources Checklist—Continued

MARK BOXES	Contact Made		NAME/ADDRESS OF LOCAL RESOURCE (Agency/Business)	Office Hours	PERSONS/OFFICES TO CONTACT DURING SEARCH			
	YES	NO			During Normal Workhours		Afterhours, Weekends, Holidays	
					Name	Business Phone	Name	Bus./Home Phone
D. OVER- NIGHT A C C O M M O D A T I O N S			1. 1st Class Hotels					
			2. 2nd Class Hotels					
			3. Low-Priced Hotels					
			4. Youth Hostels					
			5. Charitable Sleeping Arrangements (YMCA Missions)					
			6. Camping/Trailer Facilities					
			7. Other					
E. LOCAL TOURIST ATTRAC- TIONS; HOW TO CON- TACT THEM IN EMER- GENCY			1.					
			2.					
			3.					
			4.					
			5.					
			6.					
			7.					

Local Resources Checklist—Continued

MARK BOXES	Contact Made		NAME/ADDRESS OF LOCAL RESOURCE (Agency/Business)	Office Hours	PERSONS/OFFICES TO CONTACT DURING SEARCH					
	YES	NO			During Normal Workhours		Afterhours, Weekends, Holidays			
					Name	Business Phone	Name	Bus./Home Phone		
F. CAR RENT- AL AGEN- CIES			1.							
			2.							
			3.							
G. RELI- GIOUS GROUP S/COM- MUNES AND HOW TO CON- TACT THEM			1.							
			2.							
			3.							
			4.							
H. MEM- BERS OF FOREIGN COM- MUNITY (Fr., Tanz., Jord., Chin.)			1.							
			2.							
			3.							
			4.							
I. IN- FLUEN- TIAL HOST COUN- TRY CIT- IZENS WHO WILL ASSIST			1.							
			2.							
			3.							
			4.							
J. PRI- VATE TOUR- IST AGEN- CIES			1.							
			2.							
			3.							

